

CARMEN A. TRUTANICH, City Attorney (State Bar #86629x)
MICHAEL L. CLAESSENS, Senior Assistant City Attorney
CORY M. BRENT, Assistant City Attorney
SUREKHA A. PESSIS, Deputy City Attorney (State Bar #193206)
600 City Hall East
200 North Main Street
Los Angeles, California 90012-4129
Telephone: (213) 978-7036 Facsimile: (213) 978-8785
Email: *Surekha.Pessis@lacity.org*

Attorneys for Defendants, **CITY OF LOS ANGELES, LOS ANGELES POLICE DEPARTMENT, WILLIAM J. BRATTON, DAVID GRIMES, ERIK SCHICK and MICHAEL LAMBARTH**

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JULIO ALVARADO, individually and
as class representative,

Plaintiff,

vs.

WILLIAM J. BRATTON; LEE BACA;
WILLIAM STONICH, Assistant
Sheriff; LARRY W. WALDIE;
DOYLE R. CAMPBELL, Assistant
Sheriff; PAUL K. TANAKA, Assistant
Sheriff; CHARLES JACKSON,
Division Chief; MARC L.
KLUGMAN, Division Chief
individually and in their official
capacities; CITY OF LOS ANGELES;
CITY OF LOS ANGELES POLICE
DEPARTMENT; COUNTY OF LOS
ANGELES; LOS ANGELES
COUNTY SHERIFF'S
DEPARTMENT

Defendants.

CASE NO. CV 06-07812 PA(RCx)

**STIPULATION FOR [PROPOSED]
PROTECTIVE ORDER REGARDING
DISCLOSURE OF CONFIDENTIAL
INFORMATION**

Whereas Plaintiff Julio Alvarado has propounded several requests for production of documents upon Defendants City of Los Angeles and the Los Angeles Police

1 Department (collectively "City Defendants") which these defendants contend pertain to
2 official and confidential information, contained in documents maintained by the "City
3 Defendants," and whereas the parties having met and conferred, the parties have
4 stipulated to the following terms and conditions:

5 **A. ITEMS COVERED BY THIS PROTECTIVE ORDER**

6 1. The protective order applies only to the following:

7 a. The transmissions from the Mobile Digital Terminal/Computer operated
8 by Officers Lambarth and Schick on November 5, 2005, which relate to
9 Plaintiff Julio Alvarado's arrest on November 5, 2005.

10 2. Should any party wish to stamp any of the above records as "CONFIDENTIAL" that
11 party may not stamp the records in such a way as to cover any written portion of the
12 records. The documents must remain completely legible.
13

14 **B. USE OF RECORDS**

15 1. Absent further order of the Court, the items covered by this protective order for this
16 case only, including any appeals, and not for any other purpose whatsoever.

17 2. Items covered by this protective order, including any related copies, summaries,
18 extracts, notes, photographs, memos, audiotapes and transcripts, shall not be
19 disclosed, except to the following persons:

20 a. The attorneys of record, including legal assistants, paralegals, investigators
21 and clerical employees working under counsel's supervision, as well as outside
22 copying, graphic, computer services, and court reporters performing services in
23 connection with this action;

24 b. Experts, consultants, investigators and their employees, retained and/or
25 consulted by the attorneys of record to assist in the preparation of this action;

26 c. The parties, including their officers, agents and employees who are
27 directly assisting counsel with the conduct or resolution of this action;

28 d. Witnesses while being examined by counsel at a deposition or trial.

1 However, if the item is attached as an exhibit to a deposition transcript, the copy
2 attached as an exhibit shall be redacted to omit names, birth dates, social security
3 numbers, and addresses.

4
5 3. Before any disclosure of the items covered by this protective order, they will inform
6 any person identified in Paragraph 2 above, of the terms of the protective order.

7
8 4. If any party wishes to disclose items covered by this protective order to any person
9 other than those listed in Paragraph 2, above, that party shall give written notice to
10 the non-disclosing party so that the non-disclosing party can make a motion to
11 prevent the disclosure. The party wishing to disclose the information will not to do
12 so unless and until agreement with the other party is reached, or the other party's
13 motion is ruled on by the court. If however, the other party does not file its motion
14 within two weeks of the notice, the party wishing to disclose the information may
15 deem the issue to have been abandoned.

16
17 5. Upon final determination of this action, whether by judgment, settlement or
18 otherwise, including all appeals, and upon the producing party's request, Plaintiff
19 shall return those items, along with all copies, to the producing party. Any messenger
20 or postage fees shall be paid by the requesting party. In the alternative, the producing
21 party may request the items be destroyed.

22 ///

23 ///

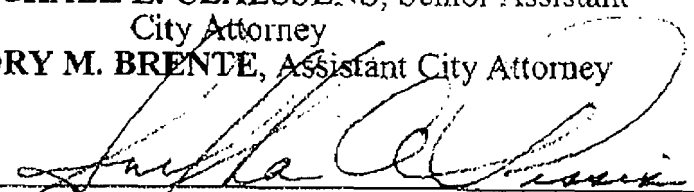
1 **C. OTHER**

- 2 1. The execution of this protective order shall not preclude any party from moving the
3 court for other or further protective orders during this action.
4 2. This protective order is subject to amendment and modification by further stipulation
5 among counsel and/or by order of the Court.

6 **IT IS SO STIPULATED:**


7
8 DATED: June ³⁰____, 2009

CARMEN A. TRUTANICH, City Attorney
MICHAEL L. CLAESSENS, Senior Assistant
City Attorney
CORY M. BRENT, Assistant City Attorney

11
12 By 
13 **SUREKHA A. PESSIS**, Deputy City Attorney
14 Attorneys for Defendants **CITY OF LOS ANGELES,**
15 **LOS ANGELES POLICE DEPARTMENT, WILLIAM**
16 **J. BRATTON, DAVID GRIMES, ERIK SCHICK and**
17 **MICHAEL LAMBARTH**


18 DATED: June 30, 2009

ROBERT MANN & DONALD W. COOK

19 By: 
20 **DONALD W. COOK**
21 Attorneys for Plaintiff **JULIO ALVARADO**

22 DATED: ^{June}~~April~~ 30, 2009

LAWRENCE BEACH ALLEN & CHOI

23 By: 
24 **PAUL B. BEACH, ESQ.**
25 **SCOTT E. CARON, ESQ.**
26 Attorneys for Defendants **COUNTY OF LOS**
27 **ANGELES, LOS ANGELES COUNTY SHERIFF'S**
28 **DEPARTMENT, SHERIFF WILLIAM STONICH,**
LARRY W. WALDIE, DOYLE R. CAMPBELL,
PAUL K. TANAKA, CHARLES JACKSON, MARC L.
KLUGMAN

PROOF OF SERVICE BY MAIL

I, SOLEDAD FIGUEROA, declare as follows:

I am over the age of 18 years, and not a party to this action. My business address is 200 North Main Street, City Hall East, 6th Floor, Los Angeles, California 90012, which is located in the county where the mailing described below took place.

On July 8, 2009, I served the foregoing document(s) described as:

**STIPULATION FOR [PROPOSED] PROTECTIVE ORDER REGARDING
DISCLOSURE OF CONFIDENTIAL INFORMATION**

on all interested parties in this action:

DONALD W. COOK
MANN & COOK
3435 WILSHIRE BOULEVARD
SUITE 2900
LOS ANGELES CA 90010
FAX: (213) 252-0091 OFS: (213) 252-9444
Email: doncook@earthlink.net

I served a true copy of the document(s) above by:

☐ Personally delivering it to the person(s) indicated below in the manner provided in *F.R.Civ.P.* 5(b).

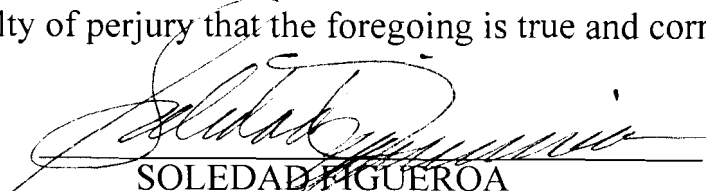
☒ Depositing it in the United States Mail in a sealed envelope with the postage thereon fully prepaid to the address(es) above.

Executed on July 8, 2009, at Los Angeles, California.

☐ I hereby certify that I am a member of the Bar of the United States District Court, Central District of California.

☒ I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

☒ I hereby certify under the penalty of perjury that the foregoing is true and correct.


SOLEDAD FIGUEROA